

## DECLARATION FOR PATENT APPLICATION

Best Available Corp

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **Soil Compacting Device Comprising an Undercarriage**, which is described and claimed in

- ☒ the attached specification.  
☐ the specification in application \_\_\_\_\_, filed on \_\_\_\_\_  
 and amended on \_\_\_\_\_ (if applicable).  
☐ international (PCT) application No. \_\_\_\_\_, filed on \_\_\_\_\_  
 and as amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is known to be material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)			Priority Claimed
<u>PCT/EP03/05987</u> (Number)	<u>PCT</u> (Country)	<u>6 June 2003</u> (Day/Month/Year Filed)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<u>102 26 920.3</u> (Number)	<u>Germany</u> (Country)	<u>17 June 2003</u> (Day/Month/Year Filed)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/> Yes <input type="checkbox"/> No

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112. I acknowledge the duty to disclose information which is known to be material to the patentability of this application as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior application and the national or PCT International filing date of this application.

_____ (Application Number)	_____ (Filing Date)	_____ (Status - Patented, Pending, Abandoned)
_____ (Application Number)	_____ (Filing Date)	_____ (Status - Patented, Pending, Abandoned)

**Power of Attorney**

I hereby appoint all attorneys associated with **Customer Account No. 23598** to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Timothy E. Newholm, Reg. No. 34,400  
 David D. Stein, Reg. No. 40,828  
 Peter C. Stomma, Reg. No. 36,020  
 Mathew E. Corr, Reg. No. 45,434  
 Mollie A. Newcomb, Reg. No. 50,915

James F. Boyle, Reg. No. 33,653  
 Michael J. Gratz, Reg. No. 39,693  
 Andrew S. McConnell, Reg. No. 32,272  
 Jay G. Durst, Reg. No. 41,723;  
 William T. Kryger, Reg. No. 53,163

Address all telephone calls to: **Timothy E. Newholm** at telephone number (414) 225-9755, facsimile number (414) 225-9753.

Address all correspondence to: The address associated with **Customer Account No. 23598**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor (given name, family name): Hermann Schennach

Inventor's signature: \_\_\_\_\_ Date: \_\_\_\_\_  
 Residence: Dietersheim, Germany Citizenship: Germany  
 Post Office Address: Am Strassfeld 17  
Dietersheim, Germany 85386

(signatures continue – if applicable)

Inventors: Hermann Schennach and Marcus Kuchler  
Title: *Soil Compacting Device Comprising an Undercarriage*

Full name of second inventor (given name, family name): Marcus Kuchler

Inventor's signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence: Munchen, Germany Citizenship: Germany

Post Office Address: Schraudolphstrasse 2a  
Munchen, Germany 80799

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

National Phase of PCT/EP03/05987

International Filing Date: 6 June 2003

Inventors: Schennach, et al.

Title: *Soil Compacting Device Comprising an Undercarriage*

Priority: German Patent Application No. 102 26 920.3; filed 17 June 2002

COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

APPOINTMENT OF DOMESTIC REPRESENTATIVE

Applicant appoints BOYLE FREDRICKSON NEWHOLM STEIN & GRATZ S.C., a firm of professional corporations, and **all attorneys associated with Customer Account No. 23598 to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.**

Timothy E. Newholm, Reg. No. 34,400  
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Address all correspondence to: The address associated with **Customer Account No. 23598**.

WACKER CONSTRUCTION EQUIPMENT AG

Date: \_\_\_\_\_ By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

## ASSIGNMENT

WHEREAS, we, **Hermann Schennach and Marcus Kuchler**, have made a certain new and useful invention for which we are about to make application for Letters Patent of the United States, which application may be identified in the United States Patent Office as Serial No. \_\_\_\_\_, filed \_\_\_\_\_ and entitled:

*Soil Compacting Device Comprising an Undercarriage*

(Executed: \_\_\_\_\_)

WHEREAS, **Wacker Construction Equipment AG**, a corporation organized and existing under and by virtue of the laws of the Country of Germany and having its principal place of business in München, Germany, is desirous of acquiring the entire interest in and to said invention, said application and the Letters Patent to be obtained therefore.

NOW, THEREFORE, for and in consideration of One Dollar and other good and valuable consideration to us in hand paid, the receipt and sufficiency whereof are hereby acknowledged, we have sold, assigned, and set over and by these presents do hereby sell, assign, and set over unto the said **Wacker Construction Equipment AG**, and said assignee's legal representative, successors and assigns, the entire right, title and interest in and to any and all applications including the aforesaid application, for Letters Patent heretofore and hereafter filed in the United States or any other country and which may be based in whole or in part on said inventions and discoveries, and in and to any and all Letters Patent heretofore or hereafter granted by the United States or any other country and which may be based in whole or in part on said inventions and discoveries, said assignment including the right to file and prosecute any and all such applications and also including the right to sue and recover for any and all such applications and also including the right to sue and recover for any and all infringements of said patents; and request the Commissioner of Patents to issue said Letters Patent to the above-mentioned assignee agreeably with the terms of this assignment.

WE HEREBY AUTHORIZE the law firm of Boyle, Fredrickson, Newholm, Stein & Gratz, S.C. and all attorneys associated with Customer Account No. 23598, the power to insert in this instrument any further identification which may be necessary or desirable in order to comply with the rules of the United States Patent Office for recordation of this document.

UPON SAID CONSIDERATION, we do hereby covenant for ourselves and our heirs, legal representatives and assigns that neither we nor any of our said heirs, legal representatives or assigns have or will execute any instrument or perform any act in conflict herewith and that we or our said heirs, legal representatives and assigns will at all times do such acts and execute such papers, without expense to ourselves, as may be necessary or desirable in order to fully protect said inventions and discoveries for the benefit of said assignee, its successors or assigns, and to otherwise carry into full force and effect the text and interest of this assignment.

IN WITNESS WHEREOF, we have hereunto set our hands and affixed our seals.

Date: \_\_\_\_\_

\_\_\_\_\_  
Hermann Schennach (SEAL)

Date: \_\_\_\_\_

\_\_\_\_\_  
Marcus Kuchler (SEAL)